

**CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE
ON DISARMAMENT**

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ENGLISH

FINAL VERBATIM RECORD OF THE THREE HUNDRED AND FIFTY-FIRST MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 28 November 1967, at 10.30 a.m.

THE UNIVERSITY
OF MICHIGAN

APR 2 1968

DOCUMENT
COLLECTION

Chairman:

Mr. A. CZARKOWSKI

(Poland)

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PRESENT AT THE TABLE

Brazil: Mr. A. da COSTA GUIMARAES

Bulgaria: Mr. K. CHRISTOV
Mr. B. KONSTANTINOV
Mr. T. DAMIANOV

Burma: U KYAW MIN

Canada: Mr. A.G. CAMPBELL
Mr. A. BERNIER

Czechoslovakia: Mr. V. VAJNAR
Mr. J. STRUCKA

Ethiopia: Mr. A. ZELLEKE

India: Mr. V.C. TRIVEDI
Mr. N. KRISHNAN
Mr. K.P. JAIN

Italy: Mr. R. CARACCIOLI
Mr. G.P. TOZZOLI
Mr. F. SORO

Mexico: Mr. J. CASTANEDA
Miss E. AGUIRRE

Nigeria: Alhaji SULE KOLO
Mr. B.O. TONWE

Poland: Mr. A. CZARKOWSKI
Mr. E. STANIEWSKI

Romania:

Mr. N. ECOBESCO
Mr. O. IONESCO
Mr. C. GEORGESCO
Mr. A. COROIANU

Sweden:

Mr. L. ECKERBERG
Mr. R. BOMAN
Mr. J. PRAWITZ

Union of Soviet Socialist
Republics:

Mr. A.A. ROSHCHIN
Mr. R.M. TIMERBAIEV
Mr. V.B. TOULINOV

United Arab Republic:

Mr. H. KHALLAF
Mr. O. SIRRY
Mr. M. SHAKER

United Kingdom:

Mr. I.F. PORTER
Mr. R.I.T. CROMARTIE

United States of America:

Mr. S. DePALMA
Mr. C.G. BREAM
Mr. A.F. NEIDLE
Mr. R.W. DREXLER

Special Representative of the
Secretary-General:

Mr. D. PROTITCH

1. The CHAIRMAN (Poland): I declare open the 351st plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.
2. I should like on behalf of the members of this Committee to greet the new representative of Sweden, Mr. Eckerberg, Head of Section of the Ministry of Foreign Affairs in Stockholm, who will be with us for some time. I am sure he will be able to contribute to the carrying out of the tasks of our Committee.
3. Alhaji SULE KOLO (Nigeria): The Nigerian delegation thought it might today take up some of the points raised by the representative of Canada when, at our meeting of 9 November, he discussed the Nigerian working paper (ENDC/202). As will be recalled, the representative of Canada in that intervention advocated the rejection of Nigeria's article IIA because, as he put it, the article "'might well have the effect of unacceptably prolonging and complicating the successful negotiation of the treaty'" (ENDC/PV.346, para. 4), and because "security assurances could be more effectively given in other ways than by inserting an article in the proposed non-proliferation treaty." (ibid.)
4. The representative of Canada did not give us the postulates of his assertions. For example, would his first premise mean that other important articles which have been proposed by other countries but on which agreement would be difficult should be rejected or settled outside the framework of the non-proliferation treaty? The Nigerian delegation does not believe that that would be the best approach to the task of the Eighteen-Nation Disarmament Committee. Indeed, we are convinced that if this Committee were to adopt the Canadian method we should -- if I may borrow an expression I have heard within these walls in another circumstance -- be sacrificing the substance to the procedure, and I dare say that the results of such a method could hardly be healthy. It would be almost certain to fail, because it would lack its life blood, which is universality.
5. Of course, the Nigerian delegation knows that the introduction of a proposal or an important amendment is bound to prolong and complicate negotiations and the conclusion of a treaty. But that is not a revelation; it is a fact which is self-evident and is true of any other meaningful article proposed for inclusion in the treaty. That fact should not lead us to shirk our responsibilities. On the contrary, we believe it should lead us to increase our efforts so that out of the complication and length of negotiations should emerge equitable and lasting solutions.

6. The problem of security assurances against nuclear threat or attack issues from articles I and II of the United States and USSR draft treaty texts on the non-proliferation of nuclear weapons (ENDC/192, 193). We said so in our last intervention (ENDC/PV.344, para. 8). Indeed, any draft on non-proliferation will raise that problem; and we cannot talk of an acceptable treaty if a problem so raised is brushed aside. Of course what we have said does not mean that every detail of every principle accepted for the treaty should be inserted in it. Indeed, the Nigerian delegation has no illusions about the efficacy of the simple undertaking in the proposed article IIA. What we have said and are saying is that the principle must, none the less, be admitted into the body of the treaty. We realize that the article will be superfluous for some prospective signatories, but for others it may be anything from useful to indispensable. Therefore it should not be dismissed lightly.

7. It is in the same spirit of universality which we have just explained that we have made our proposal about collaboration among scientists of the two classes of countries parties to the treaty. We believe our suggested amendment is already "closely related to the rights resigned" (ENDC/PV.346, para. 6), to use Mr. Burns's own words. We agree that the details will have to be worked out between the scientists themselves. That presupposes good faith on both sides, which in any case is indispensable. We must do everything possible to ensure that the non-proliferation treaty should emerge, not as a massive obstacle to scientific progress, but as a framework within which we all continue our efforts to reduce the threat of nuclear war on the one hand and promote the integral development of man on the other.

8. Turning to our article IVB, which deals with the supply of information on co-operation in peaceful nuclear activities, the representative of Canada contended that the result might be an "onerous addition" to the functions of the International Atomic Energy Agency (IAEA) (ibid., para. 8). We must say that the Canadian suggestion appears difficult to accept if one is to go by the Statute establishing IAEA and the documents which that Agency has issued recently about its statutory functions and current activities.

9. For example, in article IIIA, paragraphs 3 and 4, of the Statute of the Agency it is stated that the Agency is —

(Alhaji Sule Kolo, Nigeria)

"To foster the exchange of scientific and technical information on peaceful uses of atomic energy;

"To encourage the exchange and training of scientists and experts in the field of peaceful uses of atomic energy".

10. Furthermore, on page 1 of a recent brochure of the Agency, entitled Atoms for Peace, Health and Prosperity, it is stated that that organization "forms a channel for scientific co-operation, for exchange of knowledge and for co-ordination of research". On page 4 it is asserted that a State assumes certain obligations by becoming a member of IAEA, including the obligation to "provide the Agency with useful information".

11. I believe one can safely say that those quotations irrefutably vindicate the Nigerian article on the supply of information to IAEA. The Agency is already undertaking that function; and the Nigerian delegation even believes that Canada already actively co-operates with the Agency in that respect, as is shown on page 8 of the same document:

"The results of experience obtained from the design, construction and operation of a number of nuclear power stations in Canada, the United Kingdom and the United States have been supplied to the IAEA, which has been following their work closely, and the Agency has prepared annual progress reports on these stations for the information of Member States."

12. Finally, at the end of the pamphlet entitled IAEA Safeguards, the Director-General of that Agency says:

"... the IAEA stands ready and willing to play any role in the peaceful control of atomic energy which it might be asked to undertake. It has a sound nucleus of know-how and experience which can, as a matter of ordinary every-day management, be expanded to cope with greatly increased responsibilities."

13. From the many quotations I have given it is clear that the inclusion of the Nigerian article IVB in the non-proliferation treaty would not create what the Canadian representative called "an onerous addition to the functions of IAEA". On the contrary, it should strengthen the structure of IAEA to increase its efforts in a field in which it is already active and enable it to play the role which the Agency itself says it is willing and ready to undertake. Furthermore, the Nigerian proposal, by removing as far as is humanly possible all suspicions about the activities and intentions of any group of States, will have the effect of strengthening the treaty.

(Alhaji Sule Kolo, Nigeria)

14. Regarding the article IVC proposed in the Nigerian working paper, we presume that it is generally accepted in this Committee that the part which private enterprise will eventually play in the development of nuclear energy for peaceful purposes is directly relevant to the successful working of the non-proliferation treaty we are negotiating. As has been clearly stated in the official publication entitled IAEA Safeguards (page 7), a number of countries are accelerating their programmes in the development of nuclear energy and by the late 1970s several of them will have complete fuel cycles of varying capacity. The official appraisal goes on to say:

"Depending on production and normal rules of supply and demand, a brisk international commerce will develop in materials related to various points in the fuel cycle."

The Nigerian delegation believes that those facts are of sufficient importance to warrant the inclusion in the treaty of the said article IVC proposed in the Nigerian paper.

15. Regarding the additional grounds for withdrawal suggested by Nigeria, we do not agree with the Canadian view that these would weaken the treaty. The Canadian delegation itself said on 5 October that it saw certain developments which could lead to the withdrawal of a State from the treaty. Mr. Burns said:

"... if a treaty and the status of non-proliferation are to endure, the nuclear Powers must within the next few years halt the escalation of their stocks of nuclear weapons and the means of their delivery and begin to reduce their nuclear armouries. If that does not happen -- whatever may be put in the final treaty about obligations of nuclear Powers -- some of the States with the capacity to make nuclear weapons are going to decide 'that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests' (ENDC/192, 193) of those countries, as stated in article VII on withdrawal." (ENDC/PV.336, para.10)

The Canadian delegation has rightly drawn our attention to those potential grounds for withdrawal; but the Nigerian delegation would not think that it claims to have exhausted the circumstances which could lead to the same action, since the obligation of the nuclear-weapon Powers in the treaty is not limited to nuclear disarmament. In regard to the ground set forth in sub-paragraph (b), we realize that the need for that will depend on the substance of whatever article is agreed on to provide security for non-nuclear Powers against nuclear threat or attack.

16. Mr. TRIVEDI (India): I wish to make a short comment on the aide-mémoire of the Government of the Confederation of Switzerland which has been circulated as document ENDC/204 of 24 November 1967.

17. This is a very timely and thought-provoking document. It has been extremely carefully thought out, and I am sure we are all happy that the Government of Switzerland, which has during its long history taken the initiative for peace and disarmament, should have once again taken the initiative in bringing forward its constructive comments on the draft treaty on non-proliferation. I am sure we all share the hope of the Government of Switzerland that the negotiators will be able to take its comments into account; and I have no doubt we shall all be considering them with the care and attention they deserve. In particular I should like to draw the attention of the Committee to paragraph (6) of the aide-mémoire, and with your permission, Mr. Chairman, I should like to quote it in full:

"The Treaty will establish a lasting juridical discrimination between States according to whether they possess nuclear weapons or not. To consent to this would represent for the non-nuclear-weapon States a heavy sacrifice which is inconceivable unless something is given in return. Since their security is what the arms race chiefly endangers, some progress should be made in limiting this."

"The provisions on that subject in the preamble are not sufficient because they do not constitute a commitment but a mere declaration of intent. They should not only be given a place in the body of the treaty but should also comprise more precise obligations, such as" -- and this is important -- "the stabilization of atomic armaments at their present level. Furthermore, the nuclear-weapon States should solemnly and formally undertake never to use or threaten to use nuclear weapons against non-nuclear-weapon States parties to the treaty."

"Such provisions would to some extent meet the security requirements of the non-nuclear-weapon States." (ENDC/204, p.3)

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 351st plenary meeting in the Palais des Nations, Geneva, under the chairmanship of Mr. A. Czarkowski, representative of Poland.

"Statements were made by the representatives of Nigeria and India.

"The next meeting of the Conference will be held on Thursday, 30 November 1967, at 10.30 a.m."

The meeting rose at 11 a.m.

